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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREA SEWELL, et al.,
Plaintiffs,
v.
STATE COMPENSATION
INSURANCE FUND,
Defendant.

Case No. 13-cv-00588-TEH

**ORDER FOR SUPPLEMENTAL
BRIEFING AND ORDER
CONTINUING HEARING ON
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

This matter is scheduled for hearing on Plaintiffs' unopposed motion for preliminary approval of class action settlement on July 21, 2014. After reviewing the papers, the Court has serious questions, including the following, about the proposed settlement:

1. Plaintiffs' counsel asserts that many obstacles impede a Class recovery of the maximum exposure amount, including inadequate record keeping and no standard amount of overtime worked. How can the Court evaluate the reasonableness of the proposed settlement when the parties have presented no estimation of the value of Plaintiffs' claims were they to prevail at trial?
2. Why is it reasonable for the settlement not to include any provisions for injunctive relief, as was requested in the First Amended Complaint?
3. Does the release of federal claims by all Class Members except those who opt out violate the Fair Labor Standards Act, which allows only for opt-in collective actions under 29 U.S.C. § 216(b)?

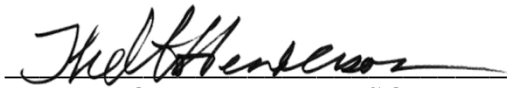
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4. Has Defendant complied with the notice requirements of 28 U.S.C. § 1715(b)?

The parties shall address these issues in a joint filing to be submitted on or before **July 21, 2014**. The July 21, 2014 hearing is CONTINUED to **August 25, 2014, at 10:00 AM**. If, as a result of conferring on the Court's questions, the parties decide to renegotiate the proposed settlement, then Plaintiffs shall file a notice withdrawing their motion for preliminary approval. Such withdrawal would be without prejudice to filing a subsequent motion for approval of a different settlement agreement.

IT IS SO ORDERED.

Dated: 07/10/14



THELTON E. HENDERSON
United States District Judge